

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: JAVIER CRUZ ORELLANA
NELLY ESTHER MUNOZ ROSARIO

Bkrtcy. No. 10-11352-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Dec 02, 2010</u>	Meeting Date: <u>Aug 30, 2011</u>	DC Track No. <u>12</u>						
Days from petition date: <u>271</u>	Meeting Time: <u>2:00 PM</u>							
910 Days before Petition: <u>6/5/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Dec 02, 2010 Dkt.# 3</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>Bankruptcy petition.</u>	Plan Base: <u>\$6,000.00</u>							
This is the <u>Scheduled Meeting</u>	Confirmation Hearing Date: <u>Sep 30, 2011</u>	Time: <u>2:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$900.00</u>
Ck/MO No.	Date	Amount						

I. Appearances: <input checked="" type="checkbox"/> Debtor Present <input checked="" type="checkbox"/> Joint Debtor Present Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath. Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present <input type="checkbox"/> Substitute attorney: <input type="checkbox"/> Pro-se.		<input checked="" type="checkbox"/> Creditor(s) present: <u>Richard Cora - Vega</u> <input type="checkbox"/> None.
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II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>CARLOS J NAZARIO*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$3,000.00</u>	Outstanding: <u>\$0.00</u> THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$23,774.00</u>	
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>6</u>	
<u>The Trustee</u> <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS	Plan confirmation.	
§341 Meeting <input type="checkbox"/> CONTINUED <input checked="" type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input checked="" type="checkbox"/> HELD OPEN FOR <u>20</u> DAYS		
§341 Meeting Rescheduled for: _____		

V. Trustee's OBJECTIONS to Confirmation:		
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Tax returns requirements. [§1308]	<input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

Debtor must amend tax returns 2006-2010
they were filing as individuals. Must
submit 1040 PR years 2006-2009.
Since we have 2010 in our system

/s/ José R. Carrión
Trustee

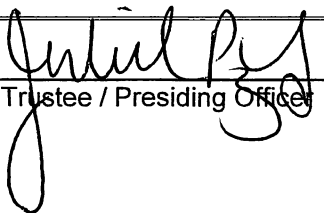
Presiding Officer

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Date: Aug 30, 2011

ADDITIONAL OBJECTIONS / COMMENTS:

- (2) Stay was Lifted by Default in regards POC # 3 debtor stated they are unable to pay the property. Must specify this statement in plan.
- (3) Provide for the Lift of Stay for Reliable since vehicle is in third party possession. POC # 5
- (4) Debtor must eliminate School Expenses listed in Sch J. Since debtors testified, their children are no longer in private school. (May be entitled to miscellaneous expenses)
- (5) Include payment for Ford vehicle being paid by debtor in the name of debtors mother. Vehicle for matures during the life of the plan. Must submit maturity date of vehicle and step up payment, once vehicle matures.
- (6) Amend plan to provide for the submission of yearly tax refunds until plan completion.


Trustee / Presiding Officer